

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3071

14000N-100001



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2016 JUN 14 AM 9:19

June 14, 2016

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *ewh/for*
Staff Director

FROM: Patricia C. Orrock *PO/MS*
Chief Compliance Officer

Debbie Chacona *DC/MS*
Assistant Staff Director
Reports Analysis Division

BY: *KDR*
Kristin D. Roser/Ben Holly *B.H.*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation -2016
April Quarterly Report for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 April Quarterly Report in accordance with 52 U.S.C. § 30104(a). The April Quarterly Report was due on April 15, 2016.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a

2. Send the appropriate letters.

2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2016 APRIL QUARTERLY Not Election Sensitive 04/15/2016 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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3062	C00555862	FOUNDATION FOR A GREATER AMERICA INC		JAMES P. HODGINS	\$725,746	1		Not Filed	\$725,746 (est)	\$14,437
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3070	C00139964	NATIONAL ASSOCIATION OF WHEAT GROWERS POLITICAL ACTION COMMITTEE (WHEATPAC)		JIM PALMER	\$148,972	0	5/17/2016	Not Filed	\$100,456	\$4,950
3071	C00405555	NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE		ROBIN L. HAYNES	\$327,413	0	5/1/2016	16	\$90,979	\$2,200

6/13/2016 5:25 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3074	C00591628	SIMON WINSTON FOR CONGRESS	SIMON WOOD WINSTON	MAUREEN HAFERNIK	\$798,665	0	5/11/2016	26	\$413,168	\$7,200

BOOKS

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)

NATIONAL ASSOCIATION OF WHEAT) AF# 3070
GROWERS POLITICAL ACTION)
COMMITTEE (WHEATPAC), and)
PALMER, JIM as treasurer;)
NATIONAL COUNCIL OF TEXTILE) AF# 3071
ORGANIZATIONS INC POLITICAL)
ACTION COMMITTEE, and HAYNES,)
ROBIN L as treasurer;)

SIMON WINSTON FOR CONGRESS, and) AF# 3074
HAFFERNIK, MAUREEN as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 15, 2016 the Commission took the following actions on the Reason To Believe Recommendation - 2016 April Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated June 14, 2016, on the following committees:

AF#3062 Decided by a vote of 6-0 to: (1) find reason to believe that FOUNDATION FOR A GREATER AMERICA INC, and HODGINS, JAMES P MR. in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
June 15, 2016

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11030N1100NO

AF#3070 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION OF WHEAT GROWERS POLITICAL ACTION COMMITTEE (WHEATPAC), and PALMER, JIM in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3071 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE, and HAYNES, ROBIN L in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3074 Decided by a vote of 6-0 to: (1) find reason to believe that SIMON WINSTON FOR CONGRESS, and HAFERNIK, MAUREEN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
June 15, 2016

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Attest:

June 17, 2016
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 2016

Robin L. Haynes, in official capacity as Treasurer
National Council of Textile Organizations Inc. Political Action Committee
469 Hospital Drive, Suite C
Gastonia, NC 28054

C00405555
AF#: 3071

Dear Ms. Haynes:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period January 1, 2016 through March 31, 2016, shall be filed no later than April 15, 2016. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on May 1, 2016, sixteen (16) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On June 15, 2016, the FEC found that there is reason to believe ("RTB") that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before April 15, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,200. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$2,200 is due within forty (40) days of the finding, or by July 25, 2016, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$90,979
Number of Days Late: 16
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1

under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or July 25, 2016. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

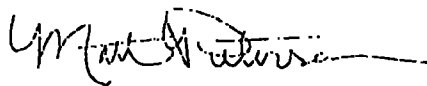
5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$2,200 for the 2016 April Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: National Council of Textile Organizations Inc. Political Action Committee

FEC ID#: C00405555

AF#: 3071

PAYMENT DUE DATE: July 25, 2016

PAYMENT AMOUNT DUE: \$2,200



TextilePAC
National Council of Textile Organizations

July 16, 2016

To: FEC Office of Administrative Review
999 E Street, NW
Washington, DC 20463

From: Robin Haynes, Treasurer

Subject: RTB Penalty / C00405555 / AF#: 3071

This is in response to your finding of a violation by the National Council of Textile Organizations Inc. Political Action Committee for failing to file a timely report for April 15, 2016.

Our PAC has been in existence since 2004 and has since inception been in compliance filing timely reports. We are very pleased for the opportunity to have a political action committee that can support policy makers who support the interests of the American Textile Industry. While our PAC is not large in volume, we do take our responsibility of compliance and filings very seriously for this committee. We also try to be very diligent with our funds so as to make wise contributions on behalf of our donors.

While I cannot offer proof of an unforeseen circumstance to prevent the timely filing of the April 15, 2016 report, I will state the fact that I was heavily involved in the planning and execution of our annual conference, thus a lot of traveling during the month of April. We had lost two staff personnel during this time and were acutely short staffed at our busiest time of year. There were unintentional delays in a number of areas for which I bare responsibility. I did attempt to file from a remote location but was unsuccessful with the connection of the software and thus filed at first opportunity.

As a first offense, it is my humble request and plea that you please consider waiving this civil penalty in light of the fact that we have been a committee in good standing for 12 years and have had no prior infractions or penalties during that time. Furthermore, our staff will take every measure to ensure there will not be any late filings in the future as we recognize the severity of consequence. We will, of course, accept your final determination but would be extremely grateful for your favorable consideration. Please don't hesitate to call me at 704-824-3522 (fax 704-671-2366) should you have any questions or wish to discuss this matter.

Sincerely,

Robin Haynes

Treasurer

(Located at Cherryville, NC Address)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 2016

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3071 – National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer (C00405555)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty.

Reason-to-Believe Background

The 2016 April Quarterly Report was due on April 15, 2016. The respondents filed the report on May 1, 2016, 16 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On June 15, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 April Quarterly Report and made a preliminary determination that the civil money penalty was \$2,200 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on June 17, 2016 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate shall file a report for the quarter ending March 31 no later than April 15. 52 U.S.C. § 30104(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On August 1, 2016, the Commission received the written response ("challenge") from the Treasurer. She requests that the Commission waive the penalty given the Committee's history of compliance over the past twelve years. She explains:

While I cannot offer proof of an unforeseen circumstance to prevent the timely filing of the April 15, 2016 report, I will state the fact that I was heavily involved in the planning and execution of our annual conference, thus a lot of traveling during the month of April. We had lost two staff personnel during this time and were acutely short staffed at our busiest time of year. There were unintentional delays in a number of areas for which I bare responsibility. I did attempt to file from a remote location but was unsuccessful with the connection of the software and thus filed at first opportunity.

Analysis

The Treasurer attributes the late filing of the 2016 April Quarterly Report to a staffing shortage. Unavailability of the treasurer and/or committee staff is included at 11 C.F.R. § 111.35(d) as an example of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. A committee's history of compliance is also not considered.

Further, the Commission reminded the respondents of the 2016 April Quarterly Report filing requirement on multiple occasions. On March 23, 2016, the Commission's Information Division sent an email regarding the 2016 April Quarterly Report to rhaynes@ncto.org, the email address listed on the Committee's Statement of Organization. On April 12, 2016, the Commission's Electronic Filing Office ("EFO") sent a reminder email to the same email address. On April 16, 2016, EFO sent another email to notify the Committee that it had failed to electronically file the report. The Committee did not file the 2016 April Quarterly Report until May 1, 2016, 16 days late.

Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3071 involving National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes. in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3071 that National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes. in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty; and
3. Send the appropriate letter.

Attachments

- Attachment 1 --
- Attachment 2 --
- Attachment 3 --
- Attachment 4 -- Declaration from RAD
- Attachment 5 -- Declaration from OAR

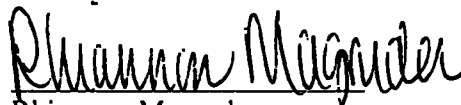
DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to National Council of Textile Organizations Inc. Political Action Committee:
 - A) Reason-to-Believe Letter, dated June 16, 2016 referencing the 2016 April Quarterly Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that National Council of Textile Organizations Inc. Political Action Committee filed the 2016 April Quarterly Report with the Commission on May 1, 2016.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 5th day of August, 2016.

Kristin D. Roser
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A political committee not authorized by a candidate which is filing on a quarterly basis in an election year shall file an April Quarterly Report by April 15. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on April 15, 2016 for the 2016 April Quarterly Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Page 1 of the Amended Statement of Organization filed by National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, on July 22, 2010. The committee's email address is listed as rhaynes@ncto.org.
 - b) Cover page, Summary Page, and Detailed Summary Pages of the 2016 April Quarterly Report filed by National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, on May 1, 2016.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 27th day of September, 2016.



Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

(See instructions)

Office use only

1. NAME OF
COMMITTEE (in full)(Check if name
is changed)Example: If typing, type
over the lines

12FE4M5

NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE

ADDRESS (number and street)

469 Hospital Dr.

(Check if address
is changed)

Suite C

Gastonia

NC

28054

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

(Check if address
is changed)

rhaynes@ncto.org

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address
is changed)

2. DATE 07 22 2010

3. FEC IDENTIFICATION NUMBER

C C00405555

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer

Robin L Haynes

Signature of Treasurer

Electronically Filed by Robin L Haynes

Date

07 22 2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100**FEC FORM 1**
(Revised 02/2009)

Image# 201605019015367227

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**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE

ADDRESS (number and street) 469 Hospital Dr.
 Suite C
 Check if different than previously reported. (ACC) Gastonia NC 28054

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲

C C00405555

3. IS THIS REPORT X NEW (N) OR AMENDED (A)

4. TYPE OF REPORT
(Choose One)

(b) Monthly Report Due On:

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)
(Non-Election Year Only)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)
(Non-Election Year Only)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

(a) Quarterly Reports:

X April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Year-End Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(c) 12-Day
PRE-Election
Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the
State of(d) 30-Day
POST-Election
Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 01 01 2016 through 03 31 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Robin L Haynes

Signature of Treasurer Robin L Haynes [Electronically Filed] Date 04 30 2016

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3X**
Rev. 12/2004

SUMMARY PAGE **OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE

Report Covering the Period: From: 01 01 2016 To: 03 31 2016

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2016		135934.13
(b) Cash on Hand at Beginning of Reporting Period.....	135934.13	
(c) Total Receipts (from Line 19)	64979.00	64979.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	200913.13	200913.13
7. Total Disbursements (from Line 31)	26000.00	26000.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	174913.13	174913.13
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

☒ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE

Report Covering the Period: From: 01 01 2016 To: 03 31 2016

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	61850.00	61850.00
(ii) Unitemized	3129.00	3129.00
(iii) TOTAL (add Lines 11(a)(i) and (ii))..... ►	64979.00	64979.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5)..... ►	64979.00	64979.00
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3)	0.00	0.00
(b) Levin Funds (from Schedule H5)	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))..... ►	64979.00	64979.00
20. Total Federal Receipts (subtract Line 18(c) from Line 19)..... ►	64979.00	64979.00

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	0.00
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	26000.00	26000.00
24. Independent Expenditures (use Schedule E)	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	0.00	0.00
29. Other Disbursements	0.00	0.00
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add .. Lines 30(a)(i), 30(a)(ii) and 30(b))	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	26000.00	26000.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	26000.00	26000.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	64979.00	64979.00
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	64979.00	64979.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 2016

Robin Haynes, Treasurer
National Council of Textile Organizations Inc.
Political Action Committee
PO Box 1090
Cherryhill, NC 28021

C00405555
AF#: 3071

Dear Ms. Haynes:

On June 15, 2016, the Federal Election Commission ("Commission") found reason to believe ("RTB") that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 April Quarterly Report. The Commission also made a preliminary determination that the civil money penalty was \$2,200 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Rhiannon Magruder". The signature is written in a cursive, flowing style.

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



2016 OCT 11 AM 9:06

TextilePAC

National Council of Textile Organizations

October 7, 2016

To: FEC Office of Administrative Review
999 E Street, NW
Washington, DC 20463

From: Robin Haynes, Treasurer

Subject: RTB Penalty / C00405555 / AF#: 3071

Sent VIA Fax to 202-208-3333

This is in response to the recommendation that the Reviewing Officer make a final determination regarding a violation by the National Council of Textile Organizations Inc. Political Action Committee for failing to file a timely report for April 15, 2016. We are respectful of the thorough review and outline of the timeline stated by the Reviewing Officer. There are no further arguments we can make but to only ask for mercy and leniency when determining the final ruling regarding an imposed penalty.

As stated in my original response, we have never been cited for noncompliance or untimely filing of reports. It distresses me greatly to know that I have failed as PAC Treasurer to meet a filing deadline which may now result in fines imposed on our TextilePAC. Our contributors entrust us with their contributions to support the industry that is their livelihood - the American Textile Industry. It is our responsibility to make sure we are diligent with our funds and to make wise contributions on behalf of our donors. This also includes complying with the FEC guidelines and filing requirements. I do realize the importance of compliance!

I will re-iterate my humble request and plea that as a first offense you please consider waiving this civil penalty in light of the fact that we have been a committee in good standing for 12 years and have had no prior infractions or penalties during that time. We have taken measures to ensure no future filings will be late as we recognize the severity of consequence. I pray our Committee doesn't have to suffer for my mistake!

Thank you sincerely for the opportunity to provide this response, and we are hopeful and would be extremely grateful for your favorable consideration. Please call me if you would like to speak with me about this matter.

Sincerely,

Robin Haynes
Treasurer

(Located at Cherryville, NC Address)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2016 OCT 11 PM 12:00

October 11, 2016

SENSITIVE

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3071 – National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer (C00405555)

On June 15, 2016, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2016 April Quarterly Report and made a preliminary determination that the civil money penalty was \$2,200 based on the schedule of penalties at 11 C.F.R. § 111.43.

On August 1, 2016, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated September 27, 2016 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On October 11, 2016, the Commission received the Treasurer's written response. The Treasurer reiterates the points made in the original challenge and states: "There are no further arguments we can make but to only ask for mercy and leniency when determining the final ruling regarding an imposed penalty."

As stated in the ROR, unavailability of the treasurer and/or committee staff is included at 11 C.F.R. § 111.35(d) as an example of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. A committee's history of compliance is also not considered. Their challenge and response to the ROR fail to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3071 involving National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, in making the final determination:
2. Make a final determination in AF# 3071 that National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty; and
3. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3071
Final Determination Recommendation:)
National Council of Textile)
Organizations Inc. Political Action)
Committee and Robin Haynes, in her)
official capacity as Treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on October 20, 2016, the Commission decided by a vote of 6-0 to take the following actions in AF 3071:

1. Adopt the Reviewing Officer recommendation for AF# 3071 involving National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3071 that National Council of Textile Organizations Inc. Political Action Committee and Robin Haynes, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$2,200 civil money penalty.
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

October 20, 2016
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 26, 2016

Robin Haynes, Treasurer
National Council of Textile Organizations Inc.
Political Action Committee
PO Box 1090
Cherryhill, NC 28021

C00405555
AF#: 3071

Dear Ms. Haynes:

On June 15, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2016 April Quarterly Report. By letter dated June 17, 2016, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,200 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On August 1, 2016, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty in the amount of \$2,200 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on September 27, 2016.

On October 20, 2016, the Commission adopted the Reviewing Officer's recommendation and made a final determination that National Council of Textile Organizations Inc. Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$2,200. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. Sec 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

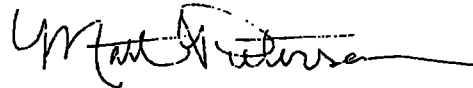
5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$2,200 for the 2016 April Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: National Council of Textile Organizations Inc. Political Action Committee

FEC ID#: C00405555

AF#: 3071

PAYMENT AMOUNT DUE: \$2,200

1-800-NY-1010